



Town of Mesilla, New Mexico

BOARD OF TRUSTEES

TOWN OF MESILLA

BOARD MEETING

MONDAY, SEPTEMBER 26, 2016

6:00 P.M.

TRUSTEES: Nora L. Barraza, Mayor
Stephanie Johnson-Burick, Mayor Pro Tem
Carlos Arzabal, Trustee
Jesus Caro, Trustee
Linda L. Flores, Trustee

STAFF: Cynthia Stoechner-Hernandez, Town Clerk
Kevin Hoban, Fire Chief
Debbie Lujan, Public Works Director
Enrique Salas, Sergeant
Lance Shepan, Sergeant
Gloria Maya, Recorder

1. PLEDGE OF ALLEGIANCE

Mayor Barraza led the Pledge of Allegiance.

2. ROLL CALL & DETERMINATION OF A QUORUM

Roll Call.

Present: Mayor Barraza, Mayor Pro Tem Johnson-Burick, Trustee Arzabal, Trustee Caro, Trustee Flores.

3. CHANGES/APPROVAL OF THE AGENDA

Motion: To approve agenda, Moved by Trustee Flores, Seconded by Trustee Arzabal.

Mayor Pro Tem Johnson-Burick requested pulling item 7b from the consent agenda.

1 **Roll Call Vote: Motion passed (summary: Yes = 4).**

2 **Mayor Pro Tem Johnson-Burick Yes**

3 **Trustee Arzabal Yes**

4 **Trustee Caro Yes**

5 **Trustee Flores Yes**

6
7 **Motion: To approve agenda as amended, Moved by Mayor Pro Tem Johnson-Burick, Seconded by**
8 **Trustee Caro.**

9
10 **Roll Call Vote: Motion passed (summary: Yes = 4).**

11 **Mayor Pro Tem Johnson-Burick Yes**

12 **Trustee Arzabal Yes**

13 **Trustee Caro Yes**

14 **Trustee Flores Yes**

15
16
17 **4. PROCLAMATIONS:**

- 18 **a.** A Proclamation designating October 5, 2016 as the Official International Walk to School Day
19 in the Town of Mesilla. – **Ashleigh Curry, Safe Routes to School Champion and students.**

20 Ms. Curry and Zoey Zecha read Proclamation designating October 5, 2016 as the Official International
21 Walk to School Day in the Town of Mesilla. Ms. Curry thanked the Town of Mesilla for their continued
22 support. She invited everyone to participate. There is an average of 40 students on Wednesday and on
23 Tuesday there are about 15 students.

24
25 Mayor Barraza thanked the students that participate in the walk and the ride to school. It is so nice and
26 exciting to see the children participate in these events. We are happy to promote the program.

- 27
28 **b.** A Proclamation proclaiming October 9 - 15, 2016 as Fire Prevention Week in the Town of
29 Mesilla. – **Kevin Hoban, Fire Chief.**

30 Fire Chief Hoban read Proclamation designating October 9-15, 2016 as Fire Prevention Week in the
31 Town of Mesilla. We have planned school events which include presentations and a fire safety trailer
32 presentation. We have received a \$1,500 grant for give-away fire detectors to residents who cannot afford
33 to replace fire detectors.

34
35 Mayor Barraza thanked the department for their service. She asked if the residents have been informed of
36 the fire detectors give away. The Chief responded yes.

1
2 Fire Chief responded we do that on a per call basis; check for fire detectors. Our inspector staff is good
3 about giving out the smoke detectors. If anyone knows of a constituent who needs one; staff will provide
4 the detector and install as well.

5
6 Mayor Barraza responded with the new principal we will be able to do more activities at the school.

7
8 Fire Chief Hoban commended Chief Zecha for making that happen at Mesilla Elementary. Once we
9 receive the fire prevention materials the firefighters will be going throughout the town to place posters,
10 etc.

11
12 Mayor Pro Tem Johnson-Burick asked if the give-away is financially based.

13
14 Fire Chief Hoban responded there is no way to prove that. Priority is with our older citizens on fixed
15 income. We will not deny anyone.

16
17 **5. PUBLIC INPUT** – The public is invited to address the Board for up to 3 minutes.

18 Ms. Susan Krueger stated she will get a copy of the walk ability checklist and place it in each of the
19 trustee's boxes. They may be interested in knowing what makes the Town of Mesilla walkable and what
20 doesn't.

21
22 **6. CLOSED SESSION** – pursuant to 10-15-1(H)(2) for the purpose of discussing limited personnel
23 matters of the Marshal's Department and 10-15-1(H)(7) for the purpose of discussing threatened
24 or pending litigation in which the public body is or may become a participant related to the Public
25 Safety Building. – Nora L. Barraza, Mayor.

26
27 **Motion: To enter closed session pursuant to 10-15-1(H)(2) for the purpose of discussing limited**
28 **personnel matters of the Marshal's Department and 10-15-1(H)(7) for the purpose of discussing**
29 **threatened or pending litigation in which the public body is or may become a participant related to**
30 **the Public Safety Building, Moved by Mayor Pro Tem Johnson-Burick, Seconded by Trustee Caro.**

31
32 **Roll Call Vote: Motion passed (summary: Yes = 4).**

33 **Mayor Pro Tem Johnson-Burick Yes**

34 **Trustee Arzabal Yes**

35 **Trustee Caro Yes**

36 **Trustee Flores Yes**

1
2 **Entered closed session at 6:16 p.m.**

3
4 **Motion: To confirm that no action was taken in closed session pursuant to 10-15-1(H)(2) for the**
5 **purpose of discussing limited personnel matters of the Marshal's Department and 10-15-1(H)(7) for**
6 **the purpose of discussing threatened or pending litigation in which the public body is or may**
7 **become a participant related to the Public Safety Building, Moved by Trustee Caro, Seconded by**
8 **Trustee Arzabal.**

9
10 **Roll Call Vote: Motion passed (summary: Yes = 4).**

11 **Mayor Pro Tem Johnson-Burick Yes**

12 **Trustee Arzabal Yes**

13 **Trustee Caro Yes**

14 **Trustee Flores Yes**

15
16 **Motion: To enter regular meeting, Moved by Trustee Arzabal, Seconded by Mayor Pro Tem**
17 **Johnson-Burick.**

18
19 **Roll Call Vote: Motion passed (summary: Yes = 4).**

20 **Mayor Pro Tem Johnson-Burick Yes**

21 **Trustee Arzabal Yes**

22 **Trustee Caro Yes**

23 **Trustee Flores Yes**

24
25 **Entered regular meeting at 6:43 p.m.**

26
27 **7. *APPROVAL OF CONSENT AGENDA – The Board will be asked to approve by one**
28 **motion the following items of recurring or routine business. The Consent Agenda is marked**
29 **with an asterisk *:**

30
31 **Motion: To approve consent agenda as amended, Moved by Trustee Flore, Seconded by Trustee**
32 **Arzabal**

33
34 **Roll Call Vote: Motion passed (summary: Yes = 4).**

35 **Mayor Pro Tem Johnson-Burick Yes**

36 **Trustee Arzabal Yes**

1 **Trustee Caro Yes**

2 **Trustee Flores Yes**

3
4 **a. *BOT MINUTES** – Regular Meeting minutes of September 12, 2016. *Approved by consent*
5 *agenda*

6 **b. *PZHAC Case SUP15-001 w/condition of obtaining Certificate of Occupancy from CID**
7 **- 1750 Avenida de Mercado, submitted by Roxanna Gates for the “Roundtable Children’s**
8 **Academy Daycare and Preschool”, a request for an extension of the Special Use Permit**
9 **(SUP) for the School. Zoned General Commercial (C).**

10 Ms. Stoechner-Hernandez stated this Special Use was approved for one year in September 2015. During
11 that time, they had the option of requesting an extension. They are currently working with CID for a
12 Certificate of Occupancy.

13
14 **Motion: To approve PZHAC Case SUP15-001 w/condition of obtaining Certificate of Occupancy**
15 **from CID - 1750 Avenida de Mercado, submitted by Roxanna Gates for the “Roundtable**
16 **Children’s Academy Daycare and Preschool”, a request for an extension of the Special Use Permit**
17 **(SUP) for the School. Zoned General Commercial (C), Moved by Mayor Pro Tem Johnson-Burick,**
18 **Seconded by Trustee Arzabal**

19
20 Mayor Pro Tem Johnson-Burick stated she was out of town during that meeting last year; was unable to
21 participate by phone. She is concerned we are going from one year to a three year. The applicant
22 anticipates having occupancy; school and daycare running by October. In the resolution it is listed as day
23 care center with no mention of the pre-school. An applicant must reapply if the original application is
24 denied; would this apply to extension. She asked if there would be a refiling fee.

25
26 Mayor Barraza responded the Las Cruces Academy and the Acton Academy were just reapproved for
27 three years. Applicant became aware of that and wished to be consistent. The applicant has indicated that
28 the pre-school is not ready at this time so it will only be the day care. CID is doing inspections for the
29 day care. They have encountered problems with the contractor which has prolonged the project so they
30 have not been able to open.

31
32 Ms. Stoechner-Hernandez responded the same planning fees are charged for extensions.

33
34 Trustee Flores stated she was the one that wanted it limited to one year. She was concerned with
35 someone requesting a liquor license in that area; permission would need to be requested. The applicant

1 said they would not deny anyone that. She was informed by Mr. Shannon that a one-year permit was not
2 a realistic way to run a business.

3
4 Mayor Barraza responded State Statute requires approval from the surrounding businesses.

5
6 Some questions were brought up regarding alcohol licensure in that area. Ms. Stoechner-Hernandez stated
7 Mesilla is a local option community; initially it is put up to the Board of Trustees for a final decision on
8 whether a school can be located next to an alcohol serving establishment.

9
10 **Roll Call Vote: Motion passed (summary: Yes = 4).**

11 **Mayor Pro Tem Johnson-Burick Yes**

12 **Trustee Arzabal Yes**

13 **Trustee Caro Yes**

14 **Trustee Flores Yes**
15

16 c. ***PZHAC Case 060427** - 3041 Mesilla Verde Terrace, submitted by William Keith Blazer; a
17 request for a building permit to allow construction of a dwelling and a rock wall around the
18 property at this address. Zoned: Rural Farm (RF- Cluster Subdivision). *Approved by*
19 *consent agenda*

20 d. ***PZHAC Case 060428** – 2271 Calle de Santa Ana, requested by Margaret Pena; a request
21 for a building permit to allow the construction of a concrete block wall along the rear
22 property line at this address. Zoned: Historic Residential (HR). *Approved by consent*
23 *agenda*

24 e. *** PZHAC Case SD16-001** – 1730 Tierra de Mesilla, submitted by Anna Biad, a request for
25 an amendment to a summary subdivision that was approved June 20, 2016 that relocated the
26 lot line at the north side of the properties involved in SUP16-001. Zoned: General
27 Commercial (C). *Approved by consent agenda*
28

29 **8. NEW BUSINESS:**

30 a. For Approval: the appointment of a full time Deputy Marshal. **Nora L. Barraza, Mayor.**
31 Mayor Barraza stated the interview committee which consisted of Ms. Stoechner-Hernandez, Mayor Pro
32 Tem Johnson-Burick, Dona Ana Sheriff Sergeant Bylas, Sergeant Salas and Sergeant Shepan,
33 recommended Mr. Edward Madson for Deputy Marshal.
34

35 **Motion: To approve the appointment of a full time Deputy Marshal, Moved by Trustee Arzabal,**
36 **Seconded by Trustee Flores.**

1
2 Trustee Caro stated he was concerned that the trustees did not get a look at the applications. He believes
3 in having an extensive background check because of the things we have gone through before. He has
4 been reassured that everything is good, but he has reservations. He wants to keep in mind that if things
5 come up; they can be open for termination.

6
7 Mayor Barraza responded just like all new hires this applicant is on probation and can be terminated
8 without just cause. After the probationary period there is a process that must be followed for termination.
9 They will have the opportunity to join the Union after the probationary period. Even if he is with us a
10 year and we find something we must follow the process. She wants this stated on the record.

11
12 Mayor Pro Tem Johnson-Burick stated she respects Trustee Caro's concerns of not being able to review
13 applications. If an application is not honestly filled out it would be automatic grounds for termination.
14 New Mexico is an at-will state which gives us several avenues to protect ourselves.

15
16 **Roll Call Vote: Motion passed (summary: Yes = 4).**

17 **Mayor Pro Tem Johnson-Burick Yes**

18 **Trustee Arzabal Yes**

19 **Trustee Caro Yes**

20 **Trustee Flores Yes**

21
22 **b. Resolution 2016-18:** A resolution authorizing the execution and delivery of a water project
23 fund loan/grant agreement between the New Mexico Finance Authority and the Town of
24 Mesilla in the amount of \$267,000 for the purpose of design and construction of water system
25 improvements. **-Debbie Lujan, Public Works Director.**

26 Ms. Lujan stated this has brought before the board several times. This the last phase of the project. This
27 is for the plan design, reconstruction of 6" waterline, valves and water meters. It is a 40% loan and 60%
28 grant. There is a 10% match, \$26,700, which was secured with the purchase of 200 meters. The loan will
29 come out of the Enterprise Fund.

30
31 **Motion: To approve Resolution 2016-18; a resolution authorizing the execution and delivery of a**
32 **water project fund loan/grant agreement between the New Mexico Finance Authority and the Town**
33 **of Mesilla in the amount of \$267,000 for the purpose of design and construction of water system**
34 **improvements, Moved by Trustee Arzabal, Seconded by Trustee Flores.**

35
36 Trustee Caro asked when the start and completion dates are.

1
2 Ms. Lujan responded the first phase is installing all the meters, 452. Once the agreement is signed we
3 will go out for RFP.

4
5 Mayor Barraza responded we can do all our required paperwork here but we do not know the state's
6 timeframe. We are hoping to have this project completed within one year. If there is a holdup it will not
7 be because of us.

8
9 Trustee Caro asked if this could this be denied due to the state's financial issues.

10
11 Mayor Barraza responded this is through the Water Trust Board.

12
13 Ms. Lujan responded we have not received anything regarding this project. She cannot answer Trustee
14 Caro's question but will look into it. The agreement closing date is November 4, 2016; should get it back
15 by January. We may be able to start the project in March.

16
17 Ms. Stoechner-Hernandez stated this is newer grant agreement so it is less likely that the legislature will
18 take the funding. To her knowledge they are looking freezing/pulling funding between 2015 to 2008.

19
20 **Roll Call Vote: Motion passed (summary: Yes = 4).**

21 **Mayor Pro Tem Johnson-Burick Yes**

22 **Trustee Arzabal Yes**

23 **Trustee Caro Yes**

24 **Trustee Flores Yes**

25
26 **9. BOARD OF TRUSTEE COMMENTS**

27 Trustee Arzabal asked if we are in jeopardy in losing funding for any projects?

28
29 Mayor Barraza responded the two-phase project through Capital Outlay is the sewer line extension on
30 McDowell Road. There was a pre-bid conference on the designing and planning. The bid deadline is
31 tomorrow. We are not sure of Phase I of the project being lost; Ms. Lujan is in contact with Senator
32 Papen. Phase II is not in jeopardy at this time. We will continue until we are told not to.

33
34 Trustee Flores stated she and Mayor Pro Tem Johnson-Burick attended a Viva Dona Ana meeting. The
35 RISTRA Project was brought up at this meeting and would be a great tool for Mesilla; getting together
36 and have a computer system which gives more information. The state may use the information when

1 evaluating. The cost is \$1,000 to get other information. We spoke about proposing three projects from
2 member groups to Viva Dona Ana and asking for their endorsement. She feels the Town of Mesilla
3 should look into that to see what will be helpful for the region and ask for their support as it may help us
4 complete projects since there is not a lot of funding out there.

5
6 Trustee Caro had no comments.

7
8 Mayor Pro Tem Johnson Burick stated she had not been able to attend she has not been able fiestas since
9 she had been out of town. She wants to give huge kudos to all staff for everything they did. It was
10 awesome to see everyone out there; especially staff as it was a sense of comradery. She was concerned
11 about attendance due to other events in the area, but it was apparent that we held our own and have loyal
12 supporters.

13
14 Mayor Barraza responded without the staff working as a team it would not have happen. The Saturday
15 attendance was great. She thanked everyone for their participation.

16
17 Ms. Parra stated the Jazz Happening will be this weekend. She gave an update on the Pecan Festival; 5k,
18 pie bake off, entertainment, rides, petting zoo. The plaza will be blocked off as it is for the fiesta for the
19 Pecan Festival.

20
21 Mayor Barraza stated there will be a beer and wine tent which will be fenced in with security. The Kids
22 Zone will be at Rio Grande Prep. Mariachi Sundays began yesterday; there will not be any for two
23 Sunday's but will resume October 16th. Fire Chief Hoban will get back to us with the date of the tree
24 planting at the Public Safety Building in dedication of Chief Zecha's wife, Laura. She thanked everyone
25 that contributed to the fund. The offices will be closed on Monday, October 10th. The next Board of
26 Trustee meeting will be Tuesday, October 11th. Marshal Mangusing has resigned effective September
27 23rd. The job announcement has been posted and will close October 7th. We have Sergeant Salas and
28 Sergeant Shepan supervising the department.

29 30 **10. ADJOURNMENT**

31
32 **The Town of Mesilla Trustees unanimously agreed to adjourn the meeting. (Summary: Yes-4)**

33
34 **MEETING ADJOURNED AT 7:20 P.M.**

35
36 **APPROVED THIS 11th DAY OF OCTOBER, 2016.**

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Nora L. Barraza
Mayor

ATTEST:

Cynthia Stoechner-Hernandez
Town Clerk/Treasurer